

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

COPY

4 -----x  
5 LEIGHTON TECHNOLOGIES LLC,

6 Plaintiff,

7 Civil Action No.

8 -against-

04 CV 2496

(CM) (LMS)

9 OBERTHUR CARD SYSTEMS, S.A.,

10 Defendant.  
11 -----x

12 November 22, 2005

13 12:30 p.m.

14 Deposition of BARRY MOSTELLER, taken by  
15 Plaintiff, pursuant to notice, at the offices of  
16 Sutherland Asbill & Brennan, 1114 Avenue of the  
17 Americas, New York, New York, before Tracy  
18 Eckhoff, a Shorthand Reporter and Notary Public  
19 within and for the State of New York.  
20  
21  
22  
23  
24  
25

1 BARRY MOSTELLER

2 Q. You also mention in your declaration  
3 that the inductive coils are on a plastic  
4 substrate. What is your understanding of a  
5 plastic substrate?

6 A. A substrate is a base material. A  
7 plastic is a flexible material.

8 Q. Do you believe that the plastic  
9 substrate has some protective affect on the coils  
10 during the lamination process?

11 MR. GASPARO: Objection.

12 A. No.

13 Q. Why not?

14 MR. GASPARO: Objection.

15 A. The pressure would be transferred by  
16 the layers.

17 Q. And each one of the layers would have  
18 some protective affect on the coils during the  
19 lamination process, right?

20 MR. GASPARO: Objection.

21 A. No.

22 Q. Were you aware that Mr. Smith, the  
23 founder of Oakwood, was deposed in this case last  
24 week?

25 A. No. I don't believe, no.

1 BARRY MOSTELLER

2 Q. And if Mr. Smith testified as founder  
3 of Oakwood that each of the layers shown here on  
4 this card provided some type of protective affect  
5 during the lamination process, would you have  
6 reason to disagree with his testimony?

7 MR. GASPARO: Objection.

8 A. I would have a difference of opinion,  
9 which I'd like to discuss with him.

10 Q. At a future time.

11 The plastic substrate, does it provide  
12 any buffer, in your opinion, from pressure during  
13 the lamination process?

14 MR. GASPARO: Objection.

15 A. No more so than any layer in a card.

16 Q. So it would provide some buffer, but  
17 no additional buffer than any layer in the card;  
18 is that right?

19 MR. GASPARO: Objection.

20 A. My opinion is depending on the  
21 lamination cycle it may not be offering any  
22 buffer.

23 Q. But in other circumstances, it could  
24 offer some buffer?

25 MR. GASPARO: Objection.